

Federal Defenders OF NEW YORK, INC.

52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director
and Attorney-in-Chief

Appeals Bureau
Barry D. Leiwant
Attorney-in-Charge

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BY ECF

Honorable Paul Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *United States v. Joshua Adam Schulte*
17 Cr. 548 (PAC)**

Dear Judge Crotty:

I write to object to something that happened with respect to a defense witness earlier today. This morning, a few minutes before trial was scheduled to resume at 9 a.m., a courtroom officer advised me that someone outside of Courtroom 14C wanted to speak with me. The person was a former CIA employee (covert) who had received a defense subpoena to testify. The individual identified himself to me and indicated that he was present to speak with me. I advised the person that he should wait outside Courtroom 14C for two minutes while I checked to make sure the trial was not starting, and that I would be right back to speak with him. But when I returned shortly thereafter, the witness was gone. I asked the CISO about the whereabouts of the witness, but he was unaware. For the life of me, I could not find him. I found out this evening that a lawyer from the CIA had approached the witness and escorted him to the U.S. Attorney's Office on the fifth floor of the courthouse. It was only much later, when I was trying to line up the defense witnesses that I learned, from the prosecutors, why the witness had vanished. In my conversation with the prosecutors this evening, they indicated that the witness had been in their office throughout the day, and had only departed at around 5 p.m.

The CIA's actions prevented me from being able to meet with the witness today and discuss his potential testimony. I believe that this conduct was inappropriate and interfered with the defense's ability to prepare its case.

Respectfully submitted,

/s/
Sabrina Shroff
Attorney for Joshua Schulte

cc: Government counsel (by ECF)